

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28582 of 2025

Arising Out of PS. Case No.-160 Year-2021 Thana- MATIHANI District- Begusarai

Shashi Thakur @ Shashi Kumar @ Shashi Kumar Thakur Son of Shyam
Thakur Village- Matihani, P.S- Matihani, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2025 Heard Mr. Amar Kumar Singh, learned counsel for
the petitioner and Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.07.2024 in connection with Maithani P.S. Case No. 160 of
2024 , F.I.R. dated 23.12.2021 for the offences punishable
under Sections 414 of the Indian Penal Code and 25(1-B)A, 26
and 35 of the Arms Act.

3. According to prosecution case, the informant
apprehended the accused persons along with some country made
pistol, cartridges.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case on the
basis of the confessional statement made by the co-accused



person. He further submits that it appears from the FIR that no incriminating article has been recovered from the possession of the petitioner and except the aforesaid, no other cogent material has come during the investigation which suggests the involvement of the petitioner in the present occurrence and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.07.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person and apart from that the petitioner carries six other than the present one but fairly submits on the basis of Paragraph 3 of the bail petition that out of six cases the petitioner is on bail on four cases.

6. Considering the aforesaid facts, the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused and no incriminating article has been recovered from the possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate-I, Begusarai in connection with Maithani P.S. Case
No. 160 of 2024 , subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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